

**UNITED STATES DISTRICT COURT**

**EASTERN DISTRICT OF CALIFORNIA**

ANTWONE STOKES,

Plaintiff,

v.

CHEEK, *et al.*,

Defendants.

Case No. 1:24-cv-00691-BAM (PC)

**ORDER STRIKING UNSIGNED COMPLAINT  
AND REQUIRING PLAINTIFF TO FILE A  
SIGNED COMPLAINT**

(ECF No. 1)

**THIRTY (30) DAY DEADLINE**

Plaintiff Antwone Stokes (“Plaintiff”) is a state prisoner proceeding *pro se* in this civil rights action under 42 U.S.C. § 1983. Plaintiff initiated this action on June 10, 2024 in the Sacramento Division of the United States District Court for the Eastern District of California. (ECF No. 1.) The case was transferred to the Fresno Division on June 13, 2024. (ECF No. 4.)

In preparing to screen the complaint, pursuant to 28 U.S.C. § 1915A(a), the Court noted that the document is not signed. (ECF No. 1.)

Both the Federal Rules of Civil Procedure and this Court’s Local Rules require that all filed pleadings, motions and papers be signed by at least one attorney of record or by the party personally if the party is unrepresented. Fed. R. Civ. P. 11(a); Local Rule 131(b). As Plaintiff’s complaint is unsigned, the Court must strike it from the record. Plaintiff will be permitted an opportunity to file a signed complaint that complies with the Federal Rules of Civil Procedure and

the Local Rules.

Based on the foregoing, it is HEREBY ORDERED that:

1. Plaintiff's complaint, filed June 10, 2024, (ECF No. 1), is STRICKEN from the record for lack of signature;
2. The Clerk of the Court is directed to send to Plaintiff a civil rights complaint form;
3. Within **thirty (30) days** from the date of service of this order, Plaintiff SHALL file a **signed** complaint, or a notice of voluntary dismissal; and
4. **Plaintiff is warned that the failure to comply with this order will result in dismissal of this action, with prejudice, for failure to obey a court order and for failure to state a claim.**

IT IS SO ORDERED.

Dated: June 14, 2024

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE